



2008 COGMA Agenda



Tuesday, September 23, 2008

8:00 - 8:15 Registration

8:15 - 8:30 Welcome

8:30 - 10:45 State Surface Mining Litigation Update

Brad Smock, Esq., Moderator, Supervising Attorney,
Kentucky Department for Natural Resources,
Office of Legal Services, Hearings and Appellate Unit

Steve Alder, Esq., Assistant Attorney General,
Attorney for Utah Division of Oil, Gas and Mining

Molly Corey, Esq.
Assistant Attorney General
Ohio Attorney General's Office, Environmental Enforcement Section

Barb Grabowski, Esq.
Assistant Counsel
Pennsylvania Department of Environmental Protection

Ruth Hamilton Heese, Esq.
Senior Assistant Attorney General
Alaska Department of Law

A.M. Pollack, Esq.
Associate Counsel
West Virginia Department of Environmental Protection

Mark Secrest, Esq.
Chief Legal Counsel
Oklahoma Department of Mines

10:45 - 11:00 Break

11:00 - 12:00 Ethics For Governmental Lawyers

Edward T. Keable, Esq. Associate Solicitor - Administration,
USDOJ

12:00 - 1:15 Lunch

1:15 - 2:30 Federal Surface Mining Litigation Update

Thomas Bovard, Esq., Moderator
Office of the Solicitor, USDOl

Dan Kilduff, Esq.
Office of the Solicitor, USDOl

John Austin, Esq.
Office of the Solicitor, USDOl

Thomas Bovard, Moderator
Assistant Solicitor, Branch of Surface Mining
Office of the Solicitor, USDOl

Wayne Babcock
Field Solicitor
Pittsburgh Field Solicitor's Office, USDOl

Courtney Shea
Assistant Field Solicitor
Knoxville Field Solicitor's Office, USDOA

John Austin
Attorney/Advisor
Knoxville Field Solicitor's Office, USDOl

Steve Barclay
Attorney/Advisor
Pittsburgh Field Solicitor's Office, USDOl

Charles Gault
Attorney/Advisor
Knoxville Field Solicitor's Office, USDOl

Daniel Kilduff
Attorney/Advisor, Branch of Surface Mining
Office of the Solicitor, USDOl

Arthur Kleven
Attorney/Advisor
Rocky Mountain Regional Solicitor's Office, USDOl

Emily Morris
Attorney/Advisor, Branch of Surface Mining
Office of the Solicitor, USDOl

John Retrum
Attorney/Advisor
Rocky Mountain Regional Solicitor's Office, USDOl

Cheryl Sylvester
Attorney/Advisor, Branch of Surface Mining
Office of the Solicitor, USDOl

2:30 - 2:45 Break

2:45 - 4:15 Current Issues in Mine Safety & Health Regulation

J. Davitt McAteer, Esq.
Vice President, Wheeling Jesuit University
(Former Assistant Secretary of Labor for Mine Safety and Health)

Judy Rivlin, Esq.
Associate General Counsel, International Union, UMWA

Wednesday, September 24, 2008

8:30 - 10:30 Issues in the Regulation of Carbon Sequestration

International Activities Affecting the Regulation of Carbon Sequestration
Thomas D. Shope, Esq., Moderator
Director, Appalachian Region
Office of Surface Mining Reclamation and Enforcement

Technical Challenges in the Regulation of Carbon Sequestration
Sean Plasynsky, National Energy Technology Laboratory
U.S. Department of Energy

The Interstate Oil and Gas Compact Commission's Model Act for the
Regulation of Carbon Sequestration
Marvin Rogers, Esq.,
General Counsel, Alabama State Oil and Gas Board

10:30 - 10:45 Break

10:45 - 11:30 EPA's Healthy Waters Initiative and Other Developments
Affecting Regulation of Coal Mining

John Forren
US EPA, Region III

11:30 - 12:15 Overview of Hydrologic Issues in Permitting Under SMCRA

Thomas L. Clarke, Esq.
Director, Division of Mining and Reclamation
West Virginia Department of Environmental Protection

12:15 - 1:30 Lunch

1:30 - 2:15 Hydrologic Issues in SMCRA Permitting in the Western US

Steve Alder, Esq., Assistant Attorney General,
Attorney for Utah Division of Oil, Gas and Mining

2:15 - 3:00 Surface Water Impacts from Longwall Mining Operations

Greg Prentice
Program Manager for Monitoring and Compliance
Barb Grabowski, Esq.
Assistant Counsel
Pennsylvania Department of Environmental Protection

3:00 - 3:15 Break

3:15 - 4:15 Ethics

Rachael L. Fletcher Cipoletti, Esq.
Chief Lawyer Disciplinary Counsel
West Virginia State Bar

6:00 Cash Bar

7:00 Annual Dinner Meeting

Thursday, September 25, 2008

9:00 - 10:00 Update on AMD Bonding and Trusts for Long Term Treatment

Courtney Shea, Esq.,
Office of the Solicitor,
USDOl

Earl Bandy, Jr.
Office of Surface Mining, USDOl

Katie Kirkland
Office of Surface Mining, USDOl

10:00 - 10:15 Break

10:15 - 12:15 Regulation of Coal Mining Impacts Under §404 of the Clean Water Act and OVEC v. Bulen

Overview of the §404 Regulatory Program
Ginger Mullens
US Army Corps of Engineers
Huntington, West Virginia

Government Arguments in OVEC v. Bulen
Michael Gray, Esq.
U.S. Department of Justice

Industry Arguments in OVEC v. Bulen
Robert G. McLusky, Esq.
Jackson & Kelly, PLLC

Environmental Group Arguments in OVEC v. Bulen
Joseph M. Lovett, Esq.
Appalachian Center for the Economy and the Environment

12:15 - 12:30 Closing Remarks and Adjourn

Friday, September 26, 2008

Optional Event - Whitewater Rafting on the Gauley River
See the Registration Instructions to Register

This course or program qualifies for 18 hours of credit under the West Virginia Rules for Mandatory Continuing Legal Education. This includes 2.4 hours of ethics credit. West Virginia computes CLE credit based on one hour of credit for each 50 minutes of instruction. An application for formal accreditation is pending with the West Virginia State Bar.